



**AMENDMENT AND RESPONSE TO
OFFICE ACTION DATED JULY 18, 2001**

The present paper is submitted as a complete response to the Office Action mailed July 18, 2001 (paper no. 7) and, in this regard, Applicants respectfully request consideration of the amendments and remarks herein below. In addition to the check mentioned herein above, a second check in the amount of \$222.00 in additional fees for small entities pertaining to the newly added claims is herein enclosed. No additional fees are believed due with the submission of this Amendment and Response to Office Action; however, should any additional fees be required, or if either or both of the aforementioned checks are missing, the Commissioner is authorized to deduct said fees from Akin, Gump, Strauss, Hauer & Feld, L.L.P. Deposit Account No. 01-0660/043829.0048.

AMENDMENT

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In The Title

On page 1, line 1, please delete the title "COMMUNICATIONS PRIORITIZER" and insert therefore --SYSTEM AND METHOD FOR PRIORITIZING COMMUNICATIONS MESSAGES--.

In The Specification

Please replace the Specification with the Substitute Specification. A clean copy of the Substitute Specification is included in Attachment A hereto, and a marked-up version of the Substitute Specification showing the changes relative to the previous version of the Specification is included as Attachment B hereto.

In The Claims

Please cancel Claims 2, 69, and 71 without prejudice.

Please amend Claims 1, 3, 4, 68 and 70; a clean copy of these amended claims is included in Attachment C hereto, and a marked-up version of the amended claims is included in Attachment D hereto.

Please add new Claims 75-97, as included and detailed in Attachment C hereto.

In The Drawings

The drawings have been filed as a separate paper with a transmittal letter addressed to the Official Draftsperson with a request to correct the drawings as shown on the enclosed set of drawings sheets (herein and therein as Attachment E). The Examiner should note that the proposed amendments are handwritten and, on the originals sent to the Draftsperson, have been made in red ink as required by M.P.E.P. § 608.02(v). Also, for the convenience of the Examiner and the Official Draftsperson, a clean set of drawings has also been enclosed (herein and therein as Attachment F).

RESPONSE TO OFFICE ACTION

I. Restriction Requirement

As required to affirm the provisional election previously made by Applicants to the Examiner, and in response to the Restriction Requirement, Applicants elect, without traverse, the invention of Species III and sub-Species III claims 74, 53, 64 and 65. Applicants reserve the right to file a divisional application on the nonelected invention.

As required by MPEP § 809.02(a), and in regard to new claims 75-97, Applicants respectfully submit that Claims 75-95, mirroring the elements of Claims 74 and 46-65, are drawn to the information message being a voicemail message and would thus be properly categorized as Species III (the elected species) and, furthermore, that Claims 76-93, corresponding to Claims 46-63, are drawn to plural species for personalized identifiers for identifying senders of voicemail messages and thus would be properly subcategorized as Sub-Species III-1 to Sub-Species III-18 respectively. As for Claims 96 and 97, applicants respectfully submit that both claims are categorized as Species III (the elected species) and subcategorized as a new Sub-Species III-19.

In light of Applicants election, Applicants respectfully submit that, in addition to Claims 53, 64, 65, and 74, new Claims 75, 83, 94, and 95 are also readable upon the elected Species and Sub-Species. In regard to new non-elected Claims {76-82, 84-93, and 96-97} Applicants also reserve the right to file a divisional application on the new non-elected invention.

II. Inventorship

Applicants confirm that the inventorship is correct for all of the pending claims and, in particular, the elected invention of Species III and sub-Species III Claims 74, 53, 64 and 65, as well as for new Claims 75, 83, 94, and 95.

III. Status of the Claims/Amendments

The Title is amended. Claims 2, 69, and 71 are cancelled. Claims 75-97 are added. Claims 1, 3-68, 70, and 72-97 are pending. Claims 5-45, 72-73, 76-82, 84-93, and 96-97 are non-elected.

IV. Title

In the Office Action, the Examiner stated that the title of the invention was not descriptive. In response, the title has been amended to more clearly indicate the invention to which the claims are directed. Applicants, therefore, respectfully request that this objection be withdrawn.

V. The Drawings

In the Office Action, the Examiner noted the objections of the Draftsperson to the drawings submitted with the Application and, specifically, to the numbering of said drawings and to the margins for certain of said drawings. In response, the Applicants have submitted to the Official Draftsperson new renumbered drawings with appropriate margins, the changes to said drawings being annotated in red ink. Applicants have also replaced the Specification with a

Substitute Specification to reflect the changes in the numbering of the drawings as referenced throughout the Specification.

VI. Claim 4

In the Office Action, the Examiner reminded Applicants that Claim 4 should be amended to depend on Claim 1 in order to correct a typographical error. In response, Claim 4 has been so amended and the Applicants respectfully request that this objection be withdrawn.

VII. Rejection of Claims 68-69 under 35 U.S.C. § 112, Second Paragraph

Claims 68-69 were rejected by the Examiner under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Specifically, the Examiner cited the use of the term “other” in line 6 of Claim 68 as being ambiguous. In response, Applicants have amended Claim 68 to replace the phrase “any other” with the phrase “a priority code in said database”. In light of this amendment, and in regard to Claim 68, Applicants respectfully request that this rejection under § 112 be withdrawn. Moreover, in view of the amendments made herein canceling Claim 69, Applicants respectfully submit that the rejection as to Claim 69 is moot.

VIII. Rejection of Claims 1-3 and 68-71 under 35 U.S.C. § 102(b)

Claims 1-3 and 68-71 were rejected under 35 U.S.C. § 102(b) as being anticipated by Scannell et al. (U.S. Patent No. 5,577,354). In response Applicants have cancelled Claims 2, 69, and 71 and have amended Claims 1, 68, and 70 to include the additional element of depositing

the message into at least one of a plurality of virtual mailboxes wherein the message is sorted within such virtual mailbox(es) based on the priority code. Moreover Claim 3, which depends on Claim 1, likewise includes this additional element.

Scannell nowhere discloses sorting and depositing the e-mail message into a plurality of virtual mailboxes wherein the e-mail message is sorted within such virtual mailboxes based on the assigned code. Scannell instead teaches the use of one main “in tray” (col. 8, lines 14-15). Nor does Scannell teach the prioritization of messages in folders (see col. 6, lines 14-17) nor is there any disclosure in Scannell of internal sorting within such folders. Indeed, Scannell treats “prioritization” and “filing” as distinct and separate outcomes. In contrast, the mailboxes of the present invention are able to sort by priority. Thus, whereas Scannell teaches an invention with an “in tray” and supplemental folders that are distinct and separate from the “in tray” and that do not perform sorting functions, the present invention uses a plurality of mailboxes each of which may have sorting functionality. For these reasons, Applicants respectfully request that this rejection under § 102(b) be withdrawn.

IX. Rejection of Claim 74 under 35 U.S.C. § 103(a)

Claim 74 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Scannell in view of Rochkind (European Patent No. 0825752 A2). However Applicants respectfully submit that, in regard to Claim 74 as well as new Claim 75 (which is based on Claim 74), a conclusion of obviousness is not supported by the cited references since these references lack some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference

teachings. Furthermore, Applicants respectfully submit that there is no reasonable expectation of success in combining the teachings of these two references due to technological incompatibilities such that a reasonably skilled artisan in the relevant art would not attempt such a combination. Moreover, in view of the amendments made herein to Claim 1, from which Claim 74 depends, Applicants respectfully submit that Claim 74 is also not anticipated by the combination of Scannell and Rochkind due to the additional element of sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code.

In order to establish a prima facie case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally the prior art reference (or references when combined) must teach or suggest all the claim elements. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and cannot be based on applicant's disclosure. (MPEP §§ 2142, 2143.)

In regard to Claim 74, Applicants have amended Claim 1, upon which Claim 74 depends, to include the additional element of depositing the message into at least one of a plurality of virtual mailboxes wherein the message is sorted within such virtual mailbox(es) based on the priority code. Neither Scannell nor Rochkind disclose sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code. Scannell instead teaches the use of one main

“in tray” (col. 8, lines 14-15). Moreover, nowhere does Scannell teach the prioritization of messages in “folders” (see col. 6, lines 14-17) nor is there any disclosure in Scannell of internal sorting within such folders since Scannell treats “prioritization” and “filing” as distinct and separate outcomes. In contrast, the mailboxes of the present invention are able to sort by priority. Thus, whereas Scannell teaches an invention with an “in tray” and supplemental folders that are distinct and separate from the “in tray” and that do not perform sorting functions, the present invention uses a plurality of mailboxes each of which may have sorting functionality. Like Scannell, Rochkind also teaches a system that is, from the end-user’s perspective, a single mailbox system because, although Rochkind does go so far as to describe a submailbox system for multiple users receiving calls on a shared telephone, each such submailbox corresponds to separate and distinct end-users (pg. 3, lines 31-34) and, thus, Rochkind effectively teaches away from the single-user multiple mailbox system of the present invention. Therefore, neither Scannell nor Rochkind, separately or in combination, teach or suggest all the claim elements of the present invention, and Applicants respectfully submit that a finding of obviousness in regard to Claim 74 is unsupported by these references.

In addition to the foregoing, and in regard to both Claim 74 and new Claim 75 the Applicants respectfully agree with the Examiner’s conclusion that “[w]hile Scannell teaches of the information message being an e-mail message, Scannell does not specifically teach of the information message being a voicemail message” (Office Action, Examiner’s Detailed Action, Sec. 17). In addition, while the invention of Rochkind claims to relate to “filtering or sorting of voice, electronic text or multimedia messages stored in mailboxes according to personalized or customized rules set by the owner of each mailbox” (pg. 2, lines 5-7), the fundamental invention

of Rochkind pertains only to an “electronic mailbox messaging service [that] filters or sorts messages according to personalized or customized rules set by the owners of the mailbox through the use of address extensions” (pg. 2, lines 57-58). As described in Rochkind, an “address extension” is an extension appended to the address of the intended recipient, such as appending additional digits to the end of a dialed telephone number as Rochkind describes. However, it is well-known to those of skill in the relevant art pertaining to e-mail messaging systems that it is not possible to append an “address extension” to an e-mail address because any such appendage becomes part of the e-mail address and will distinguish the resulting extended address from the address of the actual intended recipient. Therefore, the invention of Rochkind necessarily discloses and relates only to those multimedia messages where the use of an address extension is in fact possible and would successfully enable the invention. Since address extensions cannot be appended to e-mail addresses, the invention of Rochkind cannot be viewed as suggesting an e-mail embodiment and Rochkind should in fact be viewed as teaching away from an e-mail embodiment.

As noted by the Examiner’s restriction requirement, otherwise identical electronic message sorting and prioritizing systems (such as those claimed by the present application) are patentably distinct when one system discloses an e-mail embodiment and the other system discloses a voicemail embodiment (Office Action, Examiner’s Detailed Action, Sec. 1). Since Rochkind teaches away from an e-mail embodiment (for the reasons described above) and Scannell only discloses an e-mail embodiment (as pointed out by the Examiner), these references lack the required suggestion or motivation to modify these references or to combine these reference teachings that are themselves patentably distinct. Moreover, because the use of an

address extension is not possible in an e-mail embodiment of the Rochkind invention, there is not a reasonable expectation of success in combining the teachings of these two references such that a reasonably skilled artisan in the relevant art would not attempt such a combination unless and without first undertaking a creative effort to rectify the problem of appending address extensions to e-mail addresses, and any such creative effort cannot properly be read into the prior art.

Since the cited references contain no motivation to combine the references to reach Applicant's claimed subject matter, and since the combination of the cited references would not provide a reasonable expectation of success to reach Applicant's claimed subject matter, it is for these reasons, as well as the previous analysis specifically regarding the additional claim element of Claim 74 discussed earlier herein, Applicants respectfully submit that the putative prima facie conclusion of obviousness is not supported by the cited references in regard to both Claim 74 and new Claim 75.

X. Rejection of Claims 4 and 66 under 35 U.S.C. § 103(a)

Claims 4 and 66 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Scannell in view of Lim (U.S. Patent No. 5,883,942). However, in view of the amendments made herein to Claim 1, from which both Claims 4 and 66 depend, Applicants respectfully submit that Claims 4 and 66 are not anticipated by the combination of Scannell and Lim due to the additional element of sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code.

As previously mentioned, in order to establish a prima facie case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally the prior art reference (or references when combined) must teach or suggest all the claim elements. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and cannot be based on applicant's disclosure. (MPEP §§ 2142, 2143.)

In regard to both Claims 4 and 66, Applicants have amended Claim 1, upon which both Claims 4 and 66 depend, to include the additional element of depositing the message into at least one of a plurality of virtual mailboxes wherein the message is sorted within such virtual mailbox(es) based on the priority code. Neither Scannell nor Lim disclose sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code. Scannell, discussed in detail previously herein, instead teaches an invention with one main "in tray" along with one or more supplemental folders that, by Scannell's own disclosure, are distinct and separate from the "in tray" and do not perform sorting functions. Likewise, Lim merely discloses the inclusion of a "voice recorder/voice playback circuit" (col. 4, lines 28-29) as a component part of a described embodiment for its Caller-ID box invention but nowhere is there any suggestion that this component is a multi-mailbox voicemail system, nor is there even any insinuation that said component performs any function remotely resembling sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within

such virtual mailboxes based on the assigned code. Therefore, like Scannell, Lim at most teaches the use of a single mailbox system. Therefore, neither Scannell nor Rochkind, separately or in combination, teach or suggest all the claim elements of the present invention, and Applicants respectfully submit that a finding of obviousness in regard to amended Claims 4 and 66 are unsupported by these references.

XI. Rejection of Claim 67 under 35 U.S.C. § 103(a)

Claims 67 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Scannell in view of Katz (U.S. Patent No. 5,646,839). However, in view of the amendments made herein to Claim 1, from which Claims 67 depends, Applicants respectfully submit that Claim 67 is also not anticipated by the combination of Scannell and Katz due to the additional element of sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code.

As previously mentioned, in order to establish a prima facie case of obviousness, the third criteria is that the prior art reference (or references when combined) must teach or suggest all the claim elements. In regard to Claims 67, Applicants have amended Claim 1, upon which Claim 67 depends, to include the additional element of depositing the message into at least one of a plurality of virtual mailboxes wherein the message is sorted within such virtual mailbox(es) based on the priority code. Neither Scannell nor Katz disclose sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code. Scannell, discussed in detail previously herein, instead teaches an invention with one main “in tray” along with one or more

supplemental folders that, by Scannell's own disclosure, are distinct and separate from the "in tray" and that do not perform sorting functions. Katz, on the other hand, discloses nothing pertaining to the sorting and prioritizing of voicemail messages, much less anything to suggest a multi-mailbox voicemail system or sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code. Therefore, Applicants respectfully submit neither Scannell nor Rochkind, separately or in combination, teach or suggest all the claim elements of the present invention, and Applicants further submit that a finding of obviousness in regard to amended Claim 67 is unsupported by these references.

XII. Rejection of Claims 64-65 under 35 U.S.C. § 103(a)

Claims 64-65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Scannell in view of Rochkind and Lim. However Applicants respectfully submit that, in regard to Claims 64-65, as well as new Claims 94-95 (which are based on Claims 64-65 respectively), a conclusion of obviousness is not supported by the cited references since these references lack some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Furthermore, Applicants respectfully submit that there is no reasonable expectation of success in combining the teachings of these two references due to technological incompatibilities such that a reasonably skilled artisan in the relevant art would not attempt such a combination. Moreover, in view of the amendments made herein to Claim 1, from which Claims 64-65 depend, Applicants respectfully submit that Claims 64-65 are not anticipated by the combination

of Scannell, Rochkind and Lim due to the additional element of sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code.

At stated earlier herein, in order to establish a prima facie case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally the prior art reference (or references when combined) must teach or suggest all the claim elements. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and cannot be based on applicant's disclosure. (MPEP §§ 2142, 2143.)

In regard to Claims 64-65, Applicants have amended Claim 1, upon which Claims 64-65 depend, to include the additional element of depositing the message into at least one of a plurality of virtual mailboxes wherein the message is sorted within such virtual mailbox(es) based on the priority code. As discussed earlier herein, neither Scannell, Rochkind, nor Lim disclose sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code. Therefore Scannell, Rochkind, and Lim, separately or in combination, fail to teach or suggest all the claim elements of the present invention, and Applicants respectfully submit that a finding of obviousness in regard to Claims 64-65 is unsupported by these references.

In addition to the foregoing, and in regard to Claims 64-65 as well as new Claims 94-95, the Applicants respectfully note that the invention disclosed by Scannel is limited to e-mail

messages without any suggestion or motivation to apply the invention to anything other than e-mail systems (Office Action, Examiner's Detailed Action, Sec. 17). Rochkind and Lim, on the other hand, deal exclusively with telephone-based systems without any suggestion or motivation to apply their respective inventions to an e-mail system. Lim pertains only to a Caller-ID device and nowhere teaches or suggests an email embodiment or combination. Likewise Rochkind, although broadly claiming to relate to "filtering or sorting of voice, electronic text or multimedia messages stored in mailboxes according to personalized or customized rules set by the owner of each mailbox" (pg. 2, lines 5-7), pertains only to an "electronic mailbox messaging service [that] filters or sorts messages according to personalized or customized rules set by the owners of the mailbox through the use of address extensions" (pg. 2, lines 57-58) where an "address extension" is an extension appended to the address of the intended recipient, such as appending additional digits to the end of a dialed telephone number as Rochkind describes, and where it is well-known to those of skill in the relevant art pertaining to e-mail messaging systems that it is not possible to append an "address extension" to an e-mail address because any such appendage becomes part of the e-mail address and will distinguish the resulting extended address from the address of the actual intended recipient. Therefore, the invention of Rochkind necessarily discloses and relates only to those multimedia messages where the use of an address extension is in fact possible and would successfully enable the invention. Since address extensions cannot be appended to e-mail addresses, the invention of Rochkind cannot be viewed as suggesting an e-mail embodiment and Rochkind should in fact be viewed as teaching away from an e-mail embodiment.

As noted in the restriction requirement, otherwise identical electronic message sorting and prioritizing systems (such as those claimed by the present application) are patentably distinct

when one system discloses an e-mail embodiment and the other system discloses a voicemail embodiment (Office Action, Examiner's Detailed Action, Sec. 1). Since Rochkind teaches away from an e-mail embodiment (for the reasons described above), Lim makes no suggestion or teaching of an email embodiment, and Scannell only discloses an e-mail embodiment with no suggestion of a voicemail application (as noted by the Examiner), these references lack the required suggestion or motivation to modify these references or to combine these reference teachings. Moreover, because the use of an address extension is not possible in an e-mail embodiment of the Rochkind invention, there is not a reasonable expectation of success in combining the teachings of these three references such that a reasonably skilled artisan in the relevant art would not attempt such a combination.

Since the cited references contain no motivation to combine the references to reach Applicant's claimed subject matter, and since the combination of the cited references would not provide a reasonable expectation of success to reach Applicant's claimed subject matter, it is for these reasons, as well as the previous analysis specifically regarding the additional claim element of Claims 64-65 discussed earlier herein, Applicants respectfully submit that the putative prima facie conclusion of obviousness is not supported by the cited references in regard to Claims 64-65 as well as new Claims 94-95.

XIII. Rejection of Claims 53 under 35 U.S.C. § 103(a)

Claim 53 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Scannell in view of Rochkind and Katz. However Applicants respectfully submit that, in regard to Claim 53 as well as new Claim 83 (which is based on Claim 53), a conclusion of obviousness is not

supported by the cited references since these references lack some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Furthermore, Applicants respectfully submit that there is no reasonable expectation of success in combining the teachings of these two references due to technological incompatibilities such that a reasonably skilled artisan in the relevant art would not attempt such a combination. Moreover, in view of the amendments made herein to Claim 1, from which Claim 53 depends, Applicants respectfully submit that Claim 53 is also not anticipated by the combination of Scannell, Rochkind and Katz due to the additional element of sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code.

At stated earlier herein, in order to establish a prima facie case of obviousness, three basic criteria must be met. In regard to Claim 53, Applicants have amended Claim 1, upon which Claim 53 depends, to include the additional element of depositing the message into at least one of a plurality of virtual mailboxes wherein the message is sorted within such virtual mailbox(es) based on the priority code. As discussed earlier herein, neither Scannell, Rochkind, nor Katz disclose sorting and depositing the voicemail message into a plurality of virtual mailboxes wherein the voicemail message is sorted within such virtual mailboxes based on the assigned code. Therefore Scannell, Rochkind, and Katz, separately or in combination, fail to teach or suggest all the claim elements of the present invention, and Applicants respectfully submit that a finding of obviousness in regard to Claim 53 is unsupported by these references.

In addition to the foregoing, and in regard to both Claim 53 as well as new Claim 83, the Applicants respectfully note that the invention disclosed by Scannel is limited to e-mail messages without any suggestion or motivation to apply the invention to anything other than e-mail systems (Office Action, Examiner's Detailed Action, Sec. 17). As discussed separately above, Rochkind and Katz, on the other hand, deal exclusively with telephone-based systems without any suggestion or motivation to apply their respective inventions to an e-mail system. In this regard, and as noted by the restriction requirement, otherwise identical electronic message sorting and prioritizing systems (such as those claimed by the present application) are patentably distinct when one system discloses an e-mail embodiment and the other system discloses a voicemail embodiment (Office Action, Examiner's Detailed Action, Sec. 1). Since Rochkind teaches away from an e-mail embodiment (for the reasons described above), Katz makes no suggestion or teaching of an email embodiment, and Scannell only discloses an e-mail embodiment with no suggestion of a voicemail application (as pointed out by the Examiner), these references lack the required suggestion or motivation to modify these references or to combine these reference teachings. Moreover, because the use of an address extension is not possible in an e-mail embodiment of the Rochkind invention, there is not a reasonable expectation of success in combining the teachings of these three references such that a reasonably skilled artisan in the relevant art would not attempt such a combination.

Since the cited references contain no motivation to combine the references to reach Applicant's claimed subject matter, and since the combination of the cited references would not provide a reasonable expectation of success to reach Applicant's claimed subject matter, it is for these reasons, as well as the previous analysis specifically regarding the additional claim element

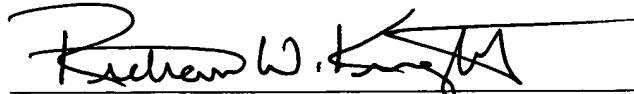
of Claim 53 discussed earlier herein, Applicants respectfully submit that the putative prima facie conclusion of obviousness is not supported by the cited references in regard to Claim 53 as well as new Claim 83.

CONCLUSION

Based on the reasons and rationale set forth herein, Applicants respectfully submit that the rejections have been overcome. Accordingly, Applicants request that the claims be allowed to issue. Should the Examiner have any questions, comments, or suggestions that would expedite the prosecution of the present case to allowance, Applicants' undersigned representative earnestly requests a telephone conference at (512) 499-6200.

Respectfully submitted,

Date: January 18, 2002



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